

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION**

**JOE RAFAEL JIMENEZ, JR.**

*Plaintiff,*

**v.**

**ACCC INSURANCE COMPANY**

*Defendant.*

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**CIVIL ACTION NO. 6:17-cv-531**

**ORDER ADOPTING REPORT AND  
RECOMMENDATION OF THE  
UNITED STATES MAGISTRATE JUDGE**

The Report and Recommendation of the Magistrate Judge, which contains her findings, conclusions and recommendation for the disposition of the complaint has been presented for consideration. The Report and Recommendation, filed on October 30, 2017, recommends that the complaint be dismissed without prejudice for failure to prosecute. Docket No. 5 at 1. Plaintiff received the Report and Recommendation on November 3, 2017. Docket No. 6. No written objections have been filed. The Court therefore **ADOPTS** the findings and conclusions of the Magistrate Judge as those of the Court. Plaintiff failed to comply with a Court Order. It is therefore

**ORDERED** that the complaint is **DISMISSED WITHOUT PREJUDICE** for failure to prosecute. Any motion not previously ruled on is **DENIED**.

**SIGNED this 6th day of December, 2017.**

  
ROBERT W. SCHROEDER III  
UNITED STATES DISTRICT JUDGE